

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

CASTRO CHEESE CO., INC.

SUMMONS IN A CIVIL ACTION

V.

LA VAQUITA INC.
and VAQUITA CHEESE INC.

CASE NUMBER:

TO: (Name and address of Defendant)

Vaquita Cheese Inc., 1409 Foster Avenue, Brooklyn, New York 11230

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jessica S. Parise, Fulbright & Jaworski LLP
666 Fifth Avenue, New York, NY 10103

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 28 2007

CLERK

Marcos Quintero

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Date Signature of Server </div> <div style="text-align: center; margin-top: 20px;"> Address of Server </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CASTRO CHEESE CO., INC.,
Plaintiff(s),

JUDGE BATTS
Index No. 07 CV 6107

-against-
**LA VAQUITA INC., and VAQUITA
CHEESE INC.,**
Defendant(s).

AFFIDAVIT OF SERVICE

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)

DARRYL GREEN, being duly sworn, deposes and says:

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made, and is employed by the attorney service, DLS, INC.

That on the 3rd day of July 2007, at approximately 12:35 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT (JURY TRIAL DEMANDED), CIVIL COVER SHEET, RULE 7.1 STATEMENT AND JUDGES' RULES** upon Vaquita Cheese Inc. at 1307 Foster Avenue, Brooklyn, NY 11230, by personally delivering and leaving the same with Mr. Ramos, Manager, who informed deponent that he is an agent authorized by appointment to receive service at that address.

Mr. Ramos is a Hispanic male, approximately 45 years of age, stands approximately 5 feet 2 inches tall, and weighs approximately 160 pounds with black hair and brown eyes.



DARRYL GREEN #0866535

Subscribed and sworn to this
6th day of July, 2007



NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 01R16109718
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires May 17, 20 